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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP NON-FEE AMENDMENT, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON THE DATE INDICATED BELOW.  
BY: [Signature] DATE: November 3, 2003

**PATENT  
MAIL STOP NON-FEE AMENDMENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Douglas Cines <i>et al.</i>	: Group Art Unit: 1653 : : :
Appln. No.:	09/880,503	: Examiner: Samuel W. Liu, Ph.D. : :
Filed:	June 13, 2001	: Attorney Docket : :
For:	COMPOSITIONS AND METHODS FOR MODULATING MUSCLE CELL AND TISSUE CELL CONTRACTILITY	: No. 053893-5034 : :

**RESPONSE TO RESTRICTION REQUIREMENT**

Responsive to the Restriction Requirement dated October 2, 2003, Applicants hereby elect to prosecute the claims of Group I, claims 1-2, 6-9, 11-12, 14-18, 22, 24-26, 28 and 54-55, drawn to a composition comprising the urokinase-type plasminogen activator (uPA) kringle domain, without traverse.

This Response is being timely filed because November 2, 2003 was a Sunday, allowing the response to be filed Monday, November 3, 2003, without fee.

The Examiner has noted that if Applicants elect Group I, Applicants must elect a muscle tissue, a compound, and one tissue or cell type must be elected. Responsive to the species requirements, Applicants elect smooth muscle from claim 7 as a muscle tissue, phenylephrine from claim 8 as a compound, and a vascular smooth muscle cell from claim 18 as a tissue or cell type, without traverse.

The Examiner has also noted that if Applicants elect group I, Applicants must also elect a single peptide component from claims 2, 28 and 54. Applicants elect the connecting peptide from claim 2, SEQ ID NO:8 from claim 28, and uPA kringle from claim 54 as the peptide component, without traverse.

Favorable examination of the claims on the merits is respectfully requested.

Respectfully submitted,

**DOUGLAS CINES *ET AL.***

November 3 2003  
(Date)

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